

JANICE MCCOY

MAY 16, 2012

<p style="text-align: center;">1</p> <p style="text-align: center;">IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA</p> <p>STATE OF TEXAS,) Plaintiff,) VS.) ERIC M. HOLDER, JR. in his) official capacity as Attorney) General of the United States,) Defendant,) ERIC KENNIE, et al,) Defendant-Intervenors,) TEXAS STATE CONFERENCE OF) CASE NO. 1:12-CV-00128 NAACP BRANCHES,) (RMC-DST-RLW) Defendant-Intervenors,) Three-Judge Court TEXAS LEAGUE OF YOUNG VOTERS) EDUCATION FUND, et al,) Defendant-Intervenors,) TEXAS LEGISLATIVE BLACK) CAUCUS, et al,) Defendant-Intervenors,) VICTORIA RODRIGUEZ, et al.,) Defendant-Intervenors.)</p> <p style="text-align: center;">***** ORAL DEPOSITION OF JANICE MCCOY MAY 16, 2012 *****</p> <p style="text-align: center;">2</p> <p>1 ORAL DEPOSITION OF JANICE MCCOY, produced as a 2 witness at the instance of the Defendant, was duly 3 sworn, was taken in the above-styled and numbered cause 4 on the MAY 16, 2012, from 9:39 a.m. to 6:24 p.m., before 5 Chris Carpenter, CSR, in and for the State of Texas, 6 reported by machine shorthand, at the offices of The 7 United States Attorney's Office, 816 Congress Avenue, 8 Suite 1000, Austin, Texas 78701, pursuant to the Federal 9 Rules of Civil Procedure and the provisions stated on 10 the record or attached hereto. 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: center;">3</p> <p>1 2 3 APPEARANCES 4 FOR THE PLAINTIFF, STATE OF TEXAS 5 Matthew Frederick 6 Patrick K. Sweeten 7 OFFICE OF THE ATTORNEY GENERAL OF TEXAS 8 P.O. Box 12548 9 Austin, TX 78711-2548 10 209 West 14th Street 11 8th Floor 12 Austin, TX 78701 13 (512) 936-1307 14 matthew.frederick@texasattorneygeneral.gov 15 16 FOR THE DEFENDANT, HOLDER, ET AL: 17 Jennifer Maranzano 18 Elizabeth S. Westfall 19 U.S. DEPARTMENT OF JUSTICE 20 950 Pennsylvania Avenue, NW 21 NWB - Room 7202 22 Washington, DC 20530 23 (202) 305-7766 24 jennifer.maranzano@usdoj.gov 25 elizabeth.westfall@usdoj.gov FOR THE DEFENDANT-INTERVENOR TEXAS STATE CONFERENCE OF NAACP BRANCHES AND THE MEXICAN AMERICAN LEGISLATIVE CAUCUS: Ezra D. Rosenberg DECHERT, LLP Suite 500 902 Carnegie Center Princeton, NJ 08540-6531 (609) 955-3200 ezra.rosenberg@dechert.com</p> <p style="text-align: center;">4</p> <p>1 FOR THE KENNIE INTERVENORS: 2 Chad W. Dunn 3 BRAZIL & DUNN, LLP 4 4201 Cypress Creek Parkway 5 Suite 530 6 Houston, TX 77068 7 (281) 580-6310 8 chad@brazilanddunn.com 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>
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JANICE MCCOY,

having been first duly sworn to testify the truth, the

whole truth, and nothing but the truth, testified as

follows:

EXAMINATION

BY MS. MARANZANO:

Q. Good morning.

A. Good morning.

Q. My name is Jennifer Maranzano. I'm

representing the Defendant, Eric Holder, in this matter.

Can you please state your full name for

the record?

A. Janice Steffes McCoy.

MS. MARANZANO: And can we have everybody

go around and identify themselves, please?

MR. ROSENBERG: Ezra Rosenberg from

Dechert LLP on behalf of the Texas State Conference of

NAACP Branches and MALC.

MR. DUNN: Chad Dunn on behalf of the

Kennie Intervenors.

MR. ROSENBERG: And let me see if we're

having a telephone guest today.

MR. FREDERICK: Matthew Frederick for the

State of Texas.

MS. MARANZANO: Let's just continue while

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they are doing that.

Q. (By Ms. Maranzano) Ms. McCoy, have you ever

been known by any other names?

A. My maiden name is Janice Steffes.

Q. Have you ever been deposed before?

A. No.

Q. Let me go over some ground rules with you. You

have been placed under oath today, so it's important to

testify truthfully, accurately, and completely.

The court reporter is taking down a

transcript of everything that we say, and so it's

important to answer my questions verbally, not with

shaking your head or nodding. It's important for you to

wait until I finish a question before you answer. We

shouldn't talk over each other, and that way, the record

will be clear. If you wish to stop and take a break at

any point, go ahead and let me know, and I will do my

best to accommodate you.

From time to time, your attorney may make

an objection to a question that I ask. He is doing this

for the record, and unless he instructs you not to

answer, you can go ahead and answer my question. If he

counsels you to answer only to the extent that

information is not privileged, I'd ask you to clarify

whether you're not answering based on that ground, so

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<p style="text-align: center;">9</p> <p>1 that we have a clear record.</p> <p>2 Do you have any questions based on these</p> <p>3 instructions?</p> <p>4 A. I do not.</p> <p>5 Q. Are you on any medication today that would</p> <p>6 affect your ability to testify?</p> <p>7 A. No.</p> <p>8 Q. Is there any other reason why you can't testify</p> <p>9 truthfully, accurately, and completely today?</p> <p>10 A. No.</p> <p>11 Q. I may use some shorthand today. If I say "the</p> <p>12 Senator," I'm referring to Senator Fraser or anyone who</p> <p>13 is acting on his behalf. Do you understand that?</p> <p>14 A. Yes.</p> <p>15 Q. I may use the terms "voter ID" and "photo ID"</p> <p>16 interchangeably during this deposition. I'd like you to</p> <p>17 interpret those words broadly to include any photo</p> <p>18 identification -- I'm sorry -- any voter identification</p> <p>19 requirement, whether it had a photo or not, that a voter</p> <p>20 needs to present in order to vote in person.</p> <p>21 A. Okay.</p> <p>22 Q. If I use the term "minority voters," I'm</p> <p>23 referring to voters who are not white, nonAnglo.</p> <p>24 A. Okay.</p> <p>25 Q. Do you understand all those terms?</p>	<p style="text-align: center;">11</p> <p>1 Q. What did you do to prepare for today's</p> <p>2 deposition?</p> <p>3 A. I reviewed the bill, and I looked at some</p> <p>4 minutes of the Committee of the Whole and the Floor</p> <p>5 debate.</p> <p>6 Q. And when you say "the bill," can you tell me</p> <p>7 what bill you're referring to?</p> <p>8 A. The enrolled version of Senate Bill 14.</p> <p>9 Q. And minutes of the Committee of the Whole</p> <p>10 debate was for Senate Bill 14?</p> <p>11 A. Senate Bill 14, yes, ma'am.</p> <p>12 Q. Okay. Did you review anything else?</p> <p>13 A. No, ma'am.</p> <p>14 Q. Did you meet with your attorneys prior to this</p> <p>15 deposition?</p> <p>16 A. Yes, ma'am.</p> <p>17 Q. And who did you meet with?</p> <p>18 A. I met with Matt Frederick and Stacey Napier.</p> <p>19 Q. And when was that?</p> <p>20 A. I met with Matt and Stacey three or four weeks</p> <p>21 ago. I don't know the exact date. And I talked with</p> <p>22 Matt on the phone last evening.</p> <p>23 Q. How long did you meet with Mr. Frederick and</p> <p>24 Ms. Napier three to four weeks ago?</p> <p>25 A. Hour, hour and a half.</p>
<p style="text-align: center;">10</p> <p>1 A. Yes.</p> <p>2 Q. If I ask any questions today that you do not</p> <p>3 understand, please let me know.</p> <p>4 A. I will.</p> <p>5 Q. Are you represented by counsel today?</p> <p>6 A. I am.</p> <p>7 Q. And who is that?</p> <p>8 A. Matthew Frederick.</p> <p>9 Q. And when did that representation begin?</p> <p>10 A. I think when I started working for the</p> <p>11 state. I mean, in terms of this case?</p> <p>12 Q. In terms of -- you're being represented by</p> <p>13 Mr. Frederick today in this deposition?</p> <p>14 A. Yes.</p> <p>15 Q. And when did that representation start, to the</p> <p>16 best of your knowledge?</p> <p>17 A. When the case was brought before the court.</p> <p>18 Q. How did you come to be informed that you were</p> <p>19 being represented by Mr. Frederick?</p> <p>20 A. The Attorney General's Office called me.</p> <p>21 Q. Have you ever been a party in litigation?</p> <p>22 A. No.</p> <p>23 Q. Have you ever been involved in a case in which</p> <p>24 Texas was the -- was a party?</p> <p>25 A. No.</p>	<p style="text-align: center;">12</p> <p>1 Q. And was anybody else present?</p> <p>2 A. No, ma'am.</p> <p>3 Q. And how long did you talk to Mr. Frederick last</p> <p>4 night?</p> <p>5 A. About an hour.</p> <p>6 Q. Did you bring any documents with you today?</p> <p>7 A. No, ma'am.</p> <p>8 Q. Other than your attorneys, did you speak to</p> <p>9 anybody about today's deposition?</p> <p>10 A. I talked to Colby on Tuesday afternoon about</p> <p>11 the length of his deposition.</p> <p>12 Q. Did you talk to -- and I'm sorry, you're</p> <p>13 referring to Colby Beuck?</p> <p>14 A. Is that how you say his last name? Yes. From</p> <p>15 Representative Harless's Office, yes.</p> <p>16 Q. Did you talk to about him anything else from</p> <p>17 his deposition?</p> <p>18 A. No, ma'am. Just the length.</p> <p>19 Q. Did you talk to Senator Fraser about your</p> <p>20 deposition?</p> <p>21 MR. FREDERICK: Let me interject here and</p> <p>22 say, as I think will not come as a surprise to anybody,</p> <p>23 the State of Texas will be asserting legislative</p> <p>24 privilege throughout the deposition. I will be</p> <p>25 instructing Ms. McCoy not to answer questions that seek</p>

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<p style="text-align: center;">13</p> <p>1 to discover thoughts or mental impressions of herself or</p> <p>2 Senator Fraser about pending legislation, or</p> <p>3 communications about pending legislation with</p> <p>4 legislators, staffs, state agencies, the Texas</p> <p>5 Legislative Council, and constituents.</p> <p>6 So I will instruct you, I think you can</p> <p>7 answer the question to the extent it asks for whether a</p> <p>8 conversation occurred, who was party to the conversation</p> <p>9 and how long it took, when it occurred, but I want to</p> <p>10 instruct you not to reveal the substance of any</p> <p>11 conversation that you had with the Senator. But you may</p> <p>12 answer her question.</p> <p>13 A. The Senator and I did speak about the</p> <p>14 depositions.</p> <p>15 Q. (By Ms. Maranzano) And when was that?</p> <p>16 A. We have talked about the deposition when they</p> <p>17 were trying to get scheduled, and we talked about</p> <p>18 scheduling and the timing of those depositions. And</p> <p>19 then this week, we talked several times Tuesday. Is</p> <p>20 today Wednesday? We talked several times on Tuesday</p> <p>21 strictly about the length of the depositions that have</p> <p>22 occurred so far this week, and about the fact that I'm</p> <p>23 probably going to be out of the office all day today.</p> <p>24 Q. Anything else that you discussed with the</p> <p>25 Senator?</p>	<p style="text-align: center;">15</p> <p>1 Q. And what is it?</p> <p>2 A. It's the Notice of Deposition for -- for me to</p> <p>3 appear.</p> <p>4 Q. And can I direct your attention to the third</p> <p>5 page of this document. Do you see that there's a list</p> <p>6 of documents there?</p> <p>7 A. Yes, ma'am.</p> <p>8 Q. Did you undertake a search for these documents?</p> <p>9 A. Yes, ma'am.</p> <p>10 Q. Can you describe that search to me?</p> <p>11 A. I searched -- well, it wasn't very hard,</p> <p>12 because I had a box marked Voter ID, and everything that</p> <p>13 I had ever produced was in that box. And then I did the</p> <p>14 -- I did a search of my e-mail, and I did a search of my</p> <p>15 computer files, which also, I had specific files marked</p> <p>16 as Voter ID in folders, and went through there.</p> <p>17 Q. The box that was marked Voter ID, did you</p> <p>18 say --</p> <p>19 A. Uh-huh.</p> <p>20 Q. -- can you tell me: When did you compile</p> <p>21 documents and put them in that box?</p> <p>22 A. I started compiling the box in 2009, when we</p> <p>23 were debating the legislation then.</p> <p>24 Q. Uh-huh.</p> <p>25 A. And just continued it through 2011.</p>
<p style="text-align: center;">14</p> <p>1 A. I would probably assert legislative privilege</p> <p>2 at this point.</p> <p>3 Q. Was anybody else present during these</p> <p>4 conversations?</p> <p>5 A. No.</p> <p>6 Q. Did these conversations take place in person?</p> <p>7 A. No.</p> <p>8 Q. On the phone?</p> <p>9 A. Yes.</p> <p>10 Q. Okay.</p> <p>11 A. I'm sorry. Jennifer, we -- the Senator and I</p> <p>12 also spoke this morning as I was coming over here, so</p> <p>13 yesterday and this morning.</p> <p>14 Q. And did you speak on the phone this morning?</p> <p>15 A. Yes, ma'am.</p> <p>16 Q. For about how long?</p> <p>17 A. Five, ten minutes.</p> <p>18 Q. Was that also about the length of time of the</p> <p>19 deposition?</p> <p>20 A. Yes.</p> <p>21 (Exhibit 30 marked for identification.)</p> <p>22 Q. (By Ms. Maranzano) I'm showing you what we've</p> <p>23 marked as Deposition Exhibit 30. Can you take a look at</p> <p>24 it and tell me if you recognize this document?</p> <p>25 A. I do.</p>	<p style="text-align: center;">16</p> <p>1 Q. And what documents would go in that box?</p> <p>2 A. Studies, polls, information from agencies,</p> <p>3 constituent letters, documents related to the</p> <p>4 legislative process.</p> <p>5 Q. Does that box contain all of your documents</p> <p>6 about voter ID?</p> <p>7 A. That box contains all of my documents about</p> <p>8 voter ID from 2009 forward.</p> <p>9 Q. Did you collect documents prior to 2009?</p> <p>10 A. In 2007, Senator Fraser was the Senate sponsor</p> <p>11 of a House bill related to voter ID, and that particular</p> <p>12 bill folder has been archived, and those documents were</p> <p>13 provided to the Attorney General electronically, not in</p> <p>14 written form.</p> <p>15 Q. And when you say that you -- well, let me ask</p> <p>16 you this: About how many documents are in that box?</p> <p>17 A. Hundreds.</p> <p>18 (Mr. Patrick Sweeten joins the</p> <p>19 deposition.)</p> <p>20 Q. (By Ms. Maranzano) And then you said you</p> <p>21 searched your e-mail and computer files?</p> <p>22 A. Yes, ma'am.</p> <p>23 Q. How did you search your e-mail?</p> <p>24 A. The Legislative Council provided a list of</p> <p>25 terms to search on, and so I searched on those terms.</p>

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<p style="text-align: center;">17</p> <p>1 Q. And how did you search your computer files?</p> <p>2 A. Again, all of my voter ID stuff was in the same</p> <p>3 folders. I created specific folders for voter ID. And</p> <p>4 so other than looking in, potentially, the media folder,</p> <p>5 I just -- actually just went and grabbed those files and</p> <p>6 provided them to the Attorney General.</p> <p>7 Q. So all the documents you found, you provided to</p> <p>8 the Office of the Attorney General?</p> <p>9 A. Yes, ma'am.</p> <p>10 Q. Can I direct your attention particularly to</p> <p>11 Number 5, Request Number 5? Can you read that for me</p> <p>12 please.</p> <p>13 A. "All documents and communications, including</p> <p>14 but not limited to those among and between staff,</p> <p>15 members of the Texas Legislature, the Texas Legislative</p> <p>16 Council, and other Texas State executive offices and</p> <p>17 agencies relating to any calculations, reports, audits,</p> <p>18 estimates, projections, assessments, or other analysis</p> <p>19 of the effect that SB 14 will impose upon minority</p> <p>20 voters."</p> <p>21 Q. Did you search for documents responsive to</p> <p>22 Request Number 5?</p> <p>23 A. I searched for all documents related to voter</p> <p>24 ID.</p> <p>25 Q. Did you have any documents responsive to</p>	<p style="text-align: center;">19</p> <p>1 Q. Can I direct your attention to -- let me ask</p> <p>2 you this about Request Number 8: Where were those</p> <p>3 documents?</p> <p>4 A. The public statements that I wrote for the</p> <p>5 Senator on voter ID were stored on my computer.</p> <p>6 Q. Now, when you say the public statements that</p> <p>7 you wrote, are there public statements that you did not</p> <p>8 write that the Senator made?</p> <p>9 A. Potentially, yes.</p> <p>10 Q. And is there a reason you didn't search for</p> <p>11 those, too?</p> <p>12 MR. FREDERICK: Objection to the extent it</p> <p>13 misstates the testimony.</p> <p>14 Q. (By Ms. Maranzano) Did you search for -- I</p> <p>15 understood you to say that --</p> <p>16 A. I did not search newspaper articles for</p> <p>17 comments that the Senator made.</p> <p>18 Q. And -- okay. Just so I'm understanding you, do</p> <p>19 you keep newspaper articles --</p> <p>20 A. No.</p> <p>21 Q. -- in which the Senator makes comments?</p> <p>22 A. No.</p> <p>23 MR. FREDERICK: Let her finish the</p> <p>24 question.</p> <p>25 THE WITNESS: Oh, okay.</p>
<p style="text-align: center;">18</p> <p>1 Request Number 5?</p> <p>2 A. No.</p> <p>3 Q. Can I direct your attention to Request</p> <p>4 Number 8? Did you search for documents responsive to</p> <p>5 Request Number 8?</p> <p>6 A. Yes.</p> <p>7 Q. Did you find any responsive documents?</p> <p>8 A. Yes.</p> <p>9 Q. Can you tell me how many?</p> <p>10 A. No.</p> <p>11 Q. Because you don't know?</p> <p>12 A. Because I didn't count them.</p> <p>13 Q. Can you approximate how many?</p> <p>14 MR. FREDERICK: For the record, I'll</p> <p>15 object to the extent it calls for speculation. But if</p> <p>16 you can approximate, you may answer the question.</p> <p>17 A. I mean, I'm just trying -- the guess that I</p> <p>18 would make, if you're talking about things the Senator</p> <p>19 said publicly that I actually wrote and did a public --</p> <p>20 a press release on, was probably four or five a session</p> <p>21 that we would write a public statement.</p> <p>22 Q. (By Ms. Maranzano) Okay. And you mentioned the</p> <p>23 Senator's involvement in the 2007 legislation. Was he</p> <p>24 also involved in the 2005 legislation?</p> <p>25 A. No, ma'am.</p>	<p style="text-align: center;">20</p> <p>1 Q. (By Ms. Maranzano) Can I direct your attention</p> <p>2 to Request Number 11. Can you take a look at that? Did</p> <p>3 you search for documents that were responsive to Request</p> <p>4 Number 11?</p> <p>5 A. Yes.</p> <p>6 Q. Did you have any documents that were responsive</p> <p>7 to Request Number 11?</p> <p>8 A. No.</p> <p>9 Q. Ms. McCoy, can you tell me a little bit about</p> <p>10 your educational background?</p> <p>11 A. I graduated from a Texas public high school out</p> <p>12 of Houston and went to Texas A&M University and got a</p> <p>13 bachelor of science degree awarded in 1991 in political</p> <p>14 science.</p> <p>15 Q. Any other schooling?</p> <p>16 A. No, ma'am.</p> <p>17 Q. What's your -- what's your job title?</p> <p>18 A. Chief of staff.</p> <p>19 Q. For?</p> <p>20 A. I'm sorry.</p> <p>21 Q. For who?</p> <p>22 A. Senator Troy Fraser.</p> <p>23 Q. What was your job prior to working for Senator</p> <p>24 Fraser?</p> <p>25 A. I worked for the Republican Party of Texas.</p>

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<p style="text-align: center;">21</p> <p>1 Q. How long did you work for the Republican Party 2 of Texas?</p> <p>3 A. Twelve and a half, 13 months.</p> <p>4 Q. And what was your title with them?</p> <p>5 A. Coalitions Director.</p> <p>6 Q. And when did you start working for them and 7 when did you complete your time there?</p> <p>8 A. I started working for the Republican Party in 9 August of 1997, and it ended in September of 1998.</p> <p>10 Q. When did you start working for Senator Fraser?</p> <p>11 A. September of 1998.</p> <p>12 Q. What does it mean to be a coalitions director?</p> <p>13 A. The chairwoman who hired me wanted to try and 14 be more inclusive and bring different types of 15 coalitions to the Republican Party.</p> <p>16 Q. What coalitions did she want to bring to the 17 Republican Party?</p> <p>18 A. We tried to create a Hispanic Business 19 Council. Now you're testing my memory. I don't know if 20 that's the exact title or not. But there was a couple 21 -- there was another group, but I can't remember. I'm 22 sorry.</p> <p>23 Q. There was another -- another group that you 24 formed with the Republican --</p> <p>25 A. Yes.</p>	<p style="text-align: center;">23</p> <p>1 A. In 1999, they did transportation. They did 2 elections. They did tort reform.</p> <p>3 Q. Anything else that you can remember?</p> <p>4 A. I can't remember.</p> <p>5 Q. Are those the same issues that they do now?</p> <p>6 A. They do -- State Affairs no longer does 7 transportation.</p> <p>8 Q. Okay. How long were you a legislative 9 assistant for Senator Fraser?</p> <p>10 A. I think in 2000, I became legislative 11 director. In or around the year 2000, I became 12 legislative director, and then I became chief of staff 13 in December of 2004.</p> <p>14 Q. What did you do as Senator Fraser's legislative 15 director?</p> <p>16 A. Similar things; legislative assistant, policy 17 work, constituent work, bill analysis. But I also 18 directed the other legislative staff in their work.</p> <p>19 Q. Did you have the same legislative areas that 20 you worked on when you were the legislative director as 21 when you were a legislative assistant, or did you change 22 your area of focus?</p> <p>23 A. I think in the 2001 session, I worked on 24 business and commerce issues and in the 2003 session. 25 No, that's not right. It all runs together. I'm</p>
<p style="text-align: center;">22</p> <p>1 Q. The Republican Party of Texas?</p> <p>2 A. Yes.</p> <p>3 Q. How did you get your job with Senator Fraser?</p> <p>4 A. The current chief of staff and I had met, and 5 he interviewed me and offered me a position.</p> <p>6 Q. Did you start working for Senator Fraser as 7 chief of staff or as something else?</p> <p>8 A. Something else.</p> <p>9 Q. And what was that position?</p> <p>10 A. Legislative assistant.</p> <p>11 Q. And what did you do as a legislative assistant?</p> <p>12 A. I did policy work, reviewed bills, answered 13 constituent inquiries.</p> <p>14 Q. Any areas of legislative specialty as a 15 legislative assistant?</p> <p>16 A. No.</p> <p>17 Q. And just so I'm clear, I meant, did you have 18 any areas of --</p> <p>19 A. Right. I -- I was assigned to the State 20 Affairs Committee. Senator Fraser sat on that 21 committee, and I worked that committee.</p> <p>22 Q. And what --</p> <p>23 A. I think. I'm sorry. I don't remember.</p> <p>24 Q. Okay. What issues does the State Affairs 25 Committee deal with?</p>	<p style="text-align: center;">24</p> <p>1 sorry. It seems like it should have been yesterday, and 2 it wasn't. At some point, State Affairs was my focus, 3 and at some point, State Affairs, workers' comp -- no 4 business and commerce became my focus, and I started 5 doing workers' comp issues. And then in 2003, Senator 6 Fraser became Chair of Business and Commerce. So in 7 2001, I did Business and Commerce. 2003, I think I went 8 back to State Affairs.</p> <p>9 Q. Can you describe for me all of your experience 10 that relates to election law?</p> <p>11 A. My experience related to election law is 12 related to when I staffed State Affairs and monitoring 13 and analyzing the legislation that impacted the election 14 code.</p> <p>15 Q. And you staffed State Affairs as a legislative 16 assistant, correct?</p> <p>17 A. Yes, ma'am. And then again in 2003, as 18 legislative director. In 2005 as well, I think.</p> <p>19 Q. And do you staff State Affairs as the chief of 20 staff?</p> <p>21 A. No, ma'am.</p> <p>22 Q. Do you have any experience related to election 23 administration?</p> <p>24 A. Yes, ma'am.</p> <p>25 Q. What's that experience?</p>

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<p style="text-align: center;">25</p> <p>1 A. In 1998, when I worked for the Republican Party 2 of Texas, I was also, in addition to being coalitions 3 director, they asked me to help their primary 4 administrator with some of her job. 5 Q. And what was that job? 6 A. To help coordinate the county chairs and get 7 them the information they needed to run their election, 8 the primary election, and then get that information back 9 so it could get certified by the chairman of the 10 Republican Party. 11 Q. Have you ever worked at a polling place on 12 election day? 13 A. Yes, ma'am. 14 Q. In what capacity? 15 A. Election judge. 16 Q. And can you describe for me what an election 17 judge does? 18 A. The election judge helps run the primary in 19 terms of getting the ballots in the ballot box to the 20 polling location, ensuring that the voters are voting in 21 the correct location and that they're eligible to vote 22 at that location, and then when the polls close, getting 23 the ballots back to the county. 24 Q. Have you ever witnessed any problems at a 25 polling place while you were serving as election judge?</p>	<p style="text-align: center;">27</p> <p>1 drafting legislation? 2 A. There's several ways you can draft 3 legislation. Once an idea is -- once it's determined 4 that the Senator wants to carry legislation, we 5 typically make a request to either the Texas Legislative 6 Council or Senate Engrossing and Enrolling and we just 7 send them -- or the Texas Legislative Council with just, 8 you know, general two, three lines, this is what we'd 9 like to see the law do, and then they draft it. And 10 during session, occasionally we will draft -- I will 11 draft amendments to various legislation, if they're in 12 order to facilitate movement. 13 Q. If a Senator -- if the Senator has proposed 14 legislation, do you work on trying to ensure that 15 legislation gets passed? 16 A. Yes. 17 Q. Can you describe that process for me? 18 MR. FREDERICK: I'll object, and to the 19 extent that it calls for communications that you might 20 have had with legislators, staff, state agencies, the 21 TLC, or constituents about pending legislation, I'll 22 instruct you not to answer on the basis of privilege. 23 But to the extent you can answer without relying on 24 that, you're free to answer the question. 25 Q. (By Ms. Maranzano) And I'm asking you right now</p>
<p style="text-align: center;">26</p> <p>1 A. No, ma'am. 2 MR. FREDERICK: Objection, vague. 3 THE WITNESS: Sorry? 4 MR. FREDERICK: It's okay. You can 5 answer. 6 A. No. 7 Q. (By Ms. Maranzano) Did you ever witness anyone 8 trying to impersonate another voter while you were 9 serving as election judge at a polling place? 10 A. No. 11 Q. Can you describe all of your current 12 responsibilities as chief of staff for Senator Fraser to 13 me, please. 14 A. I'm responsible for managing the office in 15 terms of just Senate paperwork, time sheets, travel 16 vouchers, general day-to-day business of making sure the 17 Senate office runs. I'm responsible for overseeing and 18 directing six staff people, in terms of giving them 19 advice about issues that they see or are dealing with in 20 their roles working for the Senator. I handle the 21 Senator's media relations, and I continue to work policy 22 and legislative issues for the Senator. 23 Q. Do you assist with drafting legislation? 24 A. Yes, ma'am. 25 Q. In what capacity? What role do you play in</p>	<p style="text-align: center;">28</p> <p>1 in a general sense what your role is in that capacity. 2 A. In a general sense, once a piece of legislation 3 has been drafted by whomever drafted it, as staff, we 4 get the bill filed with the calendar clerk, and then it 5 goes through a general process that every bill goes 6 through, and once it gets referred to a committee, we 7 make the bill hearing request. Along with the bill 8 hearing request, we will do a bill analysis, or provide 9 information to the committee so that they can have a 10 bill analysis prepared. Once the bill is set for a 11 hearing, we will help the Senator with talking points. 12 If the bill makes it out of committee, we 13 will -- in the Senate, we have what's called an intent 14 calendar, so it's my job to -- once when we're ready to 15 move something on the Floor, we will notify the intent 16 calendar, essentially, and we will do talk -- and once 17 we're going to be recognized on the Floor, we'll do 18 talking points for the Floor. And then if it passes the 19 Senate, we will provide that information to -- the same 20 sort of talking points and data that we have to whoever 21 will pick up the bill in the House. 22 Q. What is a bill analysis? I think you mentioned 23 that in regards to the committee portion of the bill. 24 A. The Senate rules require that every bill have 25 an analysis attached to it. The committees are</p>

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<p style="text-align: center;">29</p> <p>1 responsible for -- in the Senate, the committees are</p> <p>2 responsible for putting that bill analysis together.</p> <p>3 The Senate Research Center helps with that; it's an arm</p> <p>4 of the Senate, and it basically provides a general</p> <p>5 description of the bill, and then it will provide a</p> <p>6 section-by-section analysis.</p> <p>7 Q. Do you have -- do you personally have</p> <p>8 communications with other legislators?</p> <p>9 A. Yes.</p> <p>10 Q. Regularly about legislation?</p> <p>11 A. I mean, regularly is an interesting term.</p> <p>12 During session?</p> <p>13 Q. Uh-huh.</p> <p>14 A. Yes. During the interim, no.</p> <p>15 Q. Are your communications with other legislators</p> <p>16 usually related to bills that Senator Fraser is</p> <p>17 sponsoring or authoring?</p> <p>18 A. Yes.</p> <p>19 Q. What else would communications with other</p> <p>20 legislators be about?</p> <p>21 A. Potentially, it could be about that</p> <p>22 legislator's legislation, if I have a question about it.</p> <p>23 Q. Okay.</p> <p>24 A. I don't --</p> <p>25 Q. About how many times -- during the legislative</p>	<p style="text-align: center;">31</p> <p>1 Q. Is communicating with interest groups or</p> <p>2 advocacy groups one of your responsibilities?</p> <p>3 A. Yes.</p> <p>4 Q. And you said that you had a role in drafting</p> <p>5 legislation. Do you have a role in researching issues</p> <p>6 that might be related to legislation?</p> <p>7 A. Yes.</p> <p>8 Q. When Senator Fraser is taking a vote on a bill,</p> <p>9 what's your role in regards to that legislation? Do you</p> <p>10 make a recommendation to him?</p> <p>11 A. Yes, ma'am. We do.</p> <p>12 Q. You do. Does that role change if the Senator</p> <p>13 is the sponsor of a bill?</p> <p>14 A. No.</p> <p>15 Q. Can you tell me, I think you said the Senator</p> <p>16 has six staff people?</p> <p>17 A. Well, I'm seven. Yeah.</p> <p>18 Q. Can you tell me their names and their titles?</p> <p>19 A. We have three people working in the district.</p> <p>20 They're all called district coordinators. Mel Ferguson,</p> <p>21 Blake Woodall, Ralph Gauer, G-a-u-e-r. And then</p> <p>22 currently in Austin, in addition to myself, we have</p> <p>23 three people, and Terri Mathis is scheduler. Will</p> <p>24 McAdams, policy analyst. I think that's his title,</p> <p>25 legislative analyst, policy analyst, something like</p>
<p style="text-align: center;">30</p> <p>1 session, about how many times in a given week would you</p> <p>2 talk to another legislator? Not Senator Fraser, a</p> <p>3 different legislator.</p> <p>4 A. I talk to other legislators pretty much every</p> <p>5 day during session.</p> <p>6 Q. Do you communicate with the Executive Branch</p> <p>7 about legislation?</p> <p>8 A. Yes.</p> <p>9 Q. About how frequently during a legislative</p> <p>10 session do you communicate with the Executive Branch?</p> <p>11 A. Infrequently. It depends on the bill. I mean,</p> <p>12 if it's something that is changing the way an agency</p> <p>13 does business, it could be every day. If it's a bill</p> <p>14 that doesn't do that, then maybe never. I mean...</p> <p>15 Q. About how frequently do you communicate with</p> <p>16 the Governor's Office about legislation?</p> <p>17 A. Two, three times a session.</p> <p>18 Q. About how frequently do you communicate with</p> <p>19 the Lieutenant Governor's Office about legislation?</p> <p>20 A. Every day. During session. I'm sorry.</p> <p>21 Q. Yeah. When we were talking about your</p> <p>22 responsibilities as chief of staff, did you say</p> <p>23 communicating with constituents was one of your</p> <p>24 responsibilities?</p> <p>25 A. I might not have said it, but it would be, yes.</p>	<p style="text-align: center;">32</p> <p>1 that. And then Whitney Smith-Nelson, administrative</p> <p>2 assistant.</p> <p>3 Q. Do the staff people in the district office have</p> <p>4 any role in legislative efforts the Senator makes?</p> <p>5 A. No.</p> <p>6 Q. Does your office have a records retention</p> <p>7 policy?</p> <p>8 A. No.</p> <p>9 Q. None?</p> <p>10 A. Our specific office does not have a records</p> <p>11 retention policy.</p> <p>12 Q. When you say "our specific office," you mean</p> <p>13 Senator Fraser's office?</p> <p>14 A. Yes, ma'am.</p> <p>15 Q. Do you retain records?</p> <p>16 A. No, not --</p> <p>17 Q. What prompted you to save certain files from</p> <p>18 2009 voter ID?</p> <p>19 A. I knew that the Senator would want to try again</p> <p>20 in 2011.</p> <p>21 Q. How often do you communicate with Senator</p> <p>22 Fraser?</p> <p>23 A. During the interim? Two or three times a week.</p> <p>24 Q. I'm sorry. During the interim, can you</p> <p>25 describe what you mean by that?</p>

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<p style="text-align: center;">33</p> <p>1 A. The Texas legislature is in regular session for</p> <p>2 140 days in odd-numbered years. The rest of the time,</p> <p>3 it's called the interim. And that's the period we're in</p> <p>4 right now, and I speak with him two or three times a</p> <p>5 week during the interim.</p> <p>6 Q. And by what means do you communicate with him,</p> <p>7 usually, during the interim?</p> <p>8 A. Phone.</p> <p>9 Q. Just phone?</p> <p>10 A. (Witness nods head yes.)</p> <p>11 Q. And do you speak on the phone, or do you text</p> <p>12 message each other?</p> <p>13 A. Both.</p> <p>14 Q. Is that on the Senator's personal phone or an</p> <p>15 official government phone?</p> <p>16 A. Personal phone.</p> <p>17 Q. Is that on your personal phone or an official</p> <p>18 government phone?</p> <p>19 A. Both, depending on what time of day it is.</p> <p>20 Q. Do you save those messages on your phone?</p> <p>21 A. No.</p> <p>22 Q. Not at all, or not for any length of time at</p> <p>23 all?</p> <p>24 A. I don't save anything.</p> <p>25 Q. Do you delete them, meaning, if they're not on</p>	<p style="text-align: center;">35</p> <p>1 A. I don't know.</p> <p>2 Q. Can you give me an estimate?</p> <p>3 A. The Senator typically does not author election-</p> <p>4 related legislation. He sponsors it. So typically, I</p> <p>5 would say, because of his seat on State Affairs, House</p> <p>6 members will ask him to pick up their election bills,</p> <p>7 and it could be 10 or 15 a session. That's not to say</p> <p>8 that he hasn't authored election related, other than,</p> <p>9 obviously, voter ID, I just -- I don't -- I don't know.</p> <p>10 Q. So as you sit here, you can't think of other</p> <p>11 election-related bills that Senator Fraser has authored</p> <p>12 other than voter ID bills?</p> <p>13 A. That's correct.</p> <p>14 Q. And he has sponsored about 10 to 15 election-</p> <p>15 related bills in those legislative sessions that you</p> <p>16 worked in?</p> <p>17 A. That's a good guess.</p> <p>18 Q. During the time that you've worked for Senator</p> <p>19 Fraser, how many immigration-related bills has Senator</p> <p>20 Fraser authored?</p> <p>21 A. I don't know.</p> <p>22 Q. Can you give me an approximation?</p> <p>23 A. My guess would be none.</p> <p>24 Q. How about how many immigration-related bills</p> <p>25 has Senator Fraser sponsored or co-sponsored?</p>
<p style="text-align: center;">34</p> <p>1 your phone now, is that because they weren't archived in</p> <p>2 some manner or --</p> <p>3 A. Right. I delete them.</p> <p>4 Q. Okay. So other than the phone during the</p> <p>5 interim, do you communicate with the Senator in any</p> <p>6 other ways?</p> <p>7 A. I will, if I'm writing a speech or if he needs</p> <p>8 some information, I fax things to his home. But other</p> <p>9 than that, I do not communicate with him in any other</p> <p>10 way.</p> <p>11 Q. When you're in the legislative session --</p> <p>12 A. Yes, ma'am.</p> <p>13 Q. -- how often do you communicate with the</p> <p>14 Senator?</p> <p>15 A. Every day.</p> <p>16 Q. And how do you usually communicate with him?</p> <p>17 A. Verbally.</p> <p>18 Q. Do you and the Senator ever exchange e-mails?</p> <p>19 A. I have sent him e-mail. He does not respond.</p> <p>20 Q. Do you send e-mail to his personal account or</p> <p>21 to a government account?</p> <p>22 A. Personal.</p> <p>23 Q. During the time that you worked for Senator</p> <p>24 Fraser, how many election-related bills has the Senator</p> <p>25 authored?</p>	<p style="text-align: center;">36</p> <p>1 A. Again, my guess would be none, but I don't</p> <p>2 know.</p> <p>3 Q. Are you familiar with Section 5 of the Voting</p> <p>4 Rights Act?</p> <p>5 A. I know what it is.</p> <p>6 Q. What's your understanding of the requirements</p> <p>7 of Section 5?</p> <p>8 A. My understanding is that Section 5 of the</p> <p>9 Voting Rights Act requires the Department of Justice to</p> <p>10 review election-related legislation for nine specific</p> <p>11 states and a few other entities, and to ensure that</p> <p>12 those election changes don't discriminate against</p> <p>13 minorities.</p> <p>14 Q. Did you think it was important to save your</p> <p>15 voter ID files because of Section 5 of the Voting Rights</p> <p>16 Act?</p> <p>17 A. No.</p> <p>18 Q. How does the Legislature ensure that an</p> <p>19 election-related change complies with Section 5 of the</p> <p>20 Voting Rights Act?</p> <p>21 MR. FREDERICK: Let me interpose an</p> <p>22 objection. To the extent that the question seeks</p> <p>23 information that reflects thoughts or mental impressions</p> <p>24 about pending legislation or privileged communications,</p> <p>25 I'll instruct you not to answer. I think that the</p>

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<p style="text-align: center;">37</p> <p>1 question is more general. And to the extent it doesn't</p> <p>2 call for privileged information or communications, you</p> <p>3 may answer the question.</p> <p>4 A. Can you ask the question again?</p> <p>5 Q. (By Ms. Maranzano) Yes. How does the Texas</p> <p>6 Legislature ensure that an election-related change to</p> <p>7 the law complies with Section 5 of the Voting Rights</p> <p>8 Act?</p> <p>9 A. I don't know.</p> <p>10 Q. Do you believe that compliance with the Voting</p> <p>11 Rights Act is important?</p> <p>12 MR. FREDERICK: Object to relevance.</p> <p>13 Q. (By Ms. Maranzano) You can answer.</p> <p>14 A. No.</p> <p>15 Q. Why not?</p> <p>16 A. I don't believe it's fair that nine states --</p> <p>17 personally don't believe it's fair that nine states are</p> <p>18 singled out in 2012.</p> <p>19 Q. To your knowledge, does Senator Fraser believe</p> <p>20 that compliance with the Voting Rights Act is important?</p> <p>21 A. I don't speak to the Senator's beliefs.</p> <p>22 Q. In regards to your files on voter ID, did</p> <p>23 anybody instruct you not to save those files?</p> <p>24 A. No.</p> <p>25 Q. Did anybody instruct you to delete your text</p>	<p style="text-align: center;">39</p> <p>1 A. I think in -- are we talking about in-person</p> <p>2 voter fraud or voter fraud?</p> <p>3 Q. Well, let's talk generally first.</p> <p>4 A. I mean, I think, yes, there are instances of</p> <p>5 voter fraud in that we know that there is some being</p> <p>6 prosecuted. Particularly, mail-in ballots are probably</p> <p>7 the worst offenders, where we actually have the tools to</p> <p>8 catch fraud. In-person voter fraud, I'm not personally</p> <p>9 aware of any.</p> <p>10 Q. When you said earlier that this -- the current</p> <p>11 system, I think you said, it left -- it left open the</p> <p>12 possibility of in-person voter fraud? Is that a correct</p> <p>13 summary of your testimony?</p> <p>14 A. Yes, ma'am.</p> <p>15 Q. What would somebody need to do to commit</p> <p>16 in-person voter fraud under the current system?</p> <p>17 MR. FREDERICK: Objection to the extent it</p> <p>18 calls for speculation, but you may answer, if you can.</p> <p>19 Q. (By Ms. Maranzano) What did you mean by it</p> <p>20 leaves open the possibility?</p> <p>21 A. You could register yourself five times, five</p> <p>22 different names, go vote five times. You could steal</p> <p>23 someone's voter registration card and go vote. You</p> <p>24 could, you know, borrow. Like, I don't have time to</p> <p>25 vote, you go vote for me. Someone could go vote twice.</p>
<p style="text-align: center;">38</p> <p>1 messages?</p> <p>2 A. No.</p> <p>3 Q. Can you tell me, describe for me, the current</p> <p>4 system in Texas by which a voter's identity is verified</p> <p>5 at the polls?</p> <p>6 A. Under current law, the voter who does not show</p> <p>7 up with a voter registration card -- well, under current</p> <p>8 law, if a voter shows up with a voter registration card</p> <p>9 and they're on the rolls, gets to vote. That's all they</p> <p>10 need is the card. If you don't have a card, under</p> <p>11 current law, you can show several different forms of</p> <p>12 ID: Photo, one photo, with several options, or two</p> <p>13 nonphoto.</p> <p>14 Q. Are you aware of any problems with the system?</p> <p>15 MR. FREDERICK: Objection, vague, but you</p> <p>16 may answer.</p> <p>17 A. I think that the system works mostly, but it's</p> <p>18 open to fraud.</p> <p>19 Q. (By Ms. Maranzano) Why do you say that?</p> <p>20 A. Because the voter registration card doesn't</p> <p>21 necessarily have to be the person who is standing there</p> <p>22 with it.</p> <p>23 Q. Are you aware of instances of voter fraud?</p> <p>24 A. No, ma'am.</p> <p>25 Q. Are you aware of any instances of voter fraud?</p>	<p style="text-align: center;">40</p> <p>1 Q. Are you familiar with the voter registration</p> <p>2 application in Texas?</p> <p>3 A. Generally.</p> <p>4 Q. Does somebody have to make certain attestations</p> <p>5 on that voter registration application?</p> <p>6 A. Yes, ma'am.</p> <p>7 Q. And what are those?</p> <p>8 A. I think that you are who you say you are, and</p> <p>9 you live where you say you live, but I don't know for</p> <p>10 sure.</p> <p>11 Q. Does somebody have to swear that they are a</p> <p>12 citizen on the voter registration application?</p> <p>13 A. I think so.</p> <p>14 Q. When was SB 14 signed into law?</p> <p>15 A. Around the end of May 2011.</p> <p>16 Q. Have there been elections since the time that</p> <p>17 SB 14 was signed into law?</p> <p>18 A. Yes, ma'am.</p> <p>19 Q. Was SB 14 enforced in those elections?</p> <p>20 A. No, ma'am.</p> <p>21 Q. Are you aware of any in-person voter fraud that</p> <p>22 occurred in any of those elections?</p> <p>23 A. No, ma'am.</p> <p>24 Q. I believe you testified earlier that there was</p> <p>25 a photo ID bill introduced in 2007; is that correct?</p>

JANICE MCCOY

MAY 16, 2012

<p style="text-align: center;">41</p> <p>1 A. Yes, ma'am.</p> <p>2 MS. MARANZANO: Can I get that marked?</p> <p>3 We can do 28.</p> <p>4 (Exhibit 28 marked for identification.)</p> <p>5 Q. (By Ms. Maranzano) Can you take a look at that</p> <p>6 exhibit that has been marked for the record as</p> <p>7 Deposition Exhibit 28?</p> <p>8 A. (Viewing document.)</p> <p>9 Q. Do you recognize this?</p> <p>10 A. Yes, ma'am.</p> <p>11 Q. What is it?</p> <p>12 A. It looks like the filed version of House Bill</p> <p>13 218 from 2007.</p> <p>14 Q. Can you tell me what forms of identification</p> <p>15 were permitted under House Bill -- is this House Bill</p> <p>16 218?</p> <p>17 A. Yes, ma'am.</p> <p>18 Q. Can you tell me what forms of identification</p> <p>19 this bill would have permitted?</p> <p>20 MR. FREDERICK: And take your time. If</p> <p>21 you need a minute to review.</p> <p>22 A. Oh, no, I just to find it. Under Section 11 of</p> <p>23 the bill --</p> <p>24 Q. (By Ms. Maranzano) Uh-huh.</p> <p>25 A. -- it shows eight different forms of photo ID</p>	<p style="text-align: center;">43</p> <p>1 about pending legislation or requires information that</p> <p>2 would reflect communications with legislators, staff,</p> <p>3 state agencies, the Texas Legislative Council,</p> <p>4 constituents, I'll instruct you not to answer on the</p> <p>5 basis of privilege. If you are able to answer without</p> <p>6 relying on privileged matters, you may do so.</p> <p>7 A. Can you ask the question again?</p> <p>8 Q. (By Ms. Maranzano) Yeah. My question is: Do</p> <p>9 you think HB 218 would have made an improvement on the</p> <p>10 current system that you described to me, where a voter</p> <p>11 shows their voter registration card or other forms of ID</p> <p>12 when they show up to vote?</p> <p>13 MR. FREDERICK: Same objection and</p> <p>14 objection. But you may answer if you can.</p> <p>15 Q. (By Ms. Maranzano) Do you have an answer to</p> <p>16 that, ma'am? Thinking?</p> <p>17 A. Yeah. My personal opinion is no.</p> <p>18 Q. What's Senator Fraser's opinion on that?</p> <p>19 MR. FREDERICK: Object to the extent it</p> <p>20 calls for a legislator's thoughts and mental impressions</p> <p>21 about pending legislation, and I'll instruct you not to</p> <p>22 answer that question.</p> <p>23 A. I choose not to answer.</p> <p>24 Q. (By Ms. Maranzano) Would HB 218 prevent a voter</p> <p>25 from voting multiple times?</p>
<p style="text-align: center;">42</p> <p>1 that were acceptable: Driver's license, ID card,</p> <p>2 military card, employee ID card, citizen's certificate</p> <p>3 that has a photo, passport, student ID card, concealed</p> <p>4 handgun license, or a valid ID card issued by a</p> <p>5 government institution, federal or local.</p> <p>6 And then if you didn't have photo ID, the</p> <p>7 bill would allow two forms. Well, I thought it was two,</p> <p>8 but I don't see that in here. The bill would allow for</p> <p>9 some forms of nonphoto ID, which is also in Section 11:</p> <p>10 Utility bills, bank statements, official mail, birth</p> <p>11 certificate, citizenship papers, marriage license,</p> <p>12 divorce decree, court records.</p> <p>13 Q. So under HB 218, am I correct that a voter</p> <p>14 could show either a form of photo identification or</p> <p>15 forms of nonphoto identification?</p> <p>16 A. Yes, ma'am.</p> <p>17 Q. Does nonphoto verification verify a voter's</p> <p>18 identity?</p> <p>19 A. Most of the time, yes.</p> <p>20 Q. Is there something about the forms of nonphoto</p> <p>21 identification in HB 218 that you think verifies an</p> <p>22 identity in a more secure fashion than a voter</p> <p>23 registration card?</p> <p>24 MR. FREDERICK: Object to the extent that</p> <p>25 this seeks information of thoughts or mental impressions</p>	<p style="text-align: center;">44</p> <p>1 MR. FREDERICK: I'll make the same</p> <p>2 objection. To the extent it calls for privileged</p> <p>3 information, thoughts or mental impressions or</p> <p>4 privileged communications. But to the extent you can</p> <p>5 answer without relying on privileged matters, you may do</p> <p>6 so.</p> <p>7 A. I have no answer.</p> <p>8 Q. (By Ms. Maranzano) Have you no answer because</p> <p>9 of the instruction?</p> <p>10 A. Yes, ma'am.</p> <p>11 Q. Okay. What was the purpose of including two</p> <p>12 forms of photo identification at HB 1218?</p> <p>13 MR. FREDERICK: Objection to the extent it</p> <p>14 seeks thoughts or mental impressions you or Senator</p> <p>15 Fraser may have had about pending legislation or</p> <p>16 communications that are privileged. To the extent that</p> <p>17 you can answer without relying on privileged matters,</p> <p>18 you may answer the question.</p> <p>19 Q. (By Ms. Maranzano) And for the record, this is</p> <p>20 about the legitimate purpose of part of this bill.</p> <p>21 A. I think you are better off asking</p> <p>22 Representative Betty Brown.</p> <p>23 Q. Betty Brown. Did the Senator bring HB 218 to</p> <p>24 the Senate Floor?</p> <p>25 A. He did.</p>